

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) Crim. Act. No. 06-38-UNA
MIGUEL ONGAY,)
Defendant.)

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. §3142(e) and (f). In support of the motion, the United States alleges the following:

1. Eligibility of Case. This case is eligible for a detention order because case involves (check all that apply):

<input type="checkbox"/>	Crime of violence (18 U.S.C. § 3156)
<input type="checkbox"/>	Maximum sentence life imprisonment or death
<input checked="" type="checkbox"/>	10+ year drug offense
<input type="checkbox"/>	Felony, with two prior convictions in above categories
<input checked="" type="checkbox"/>	Serious risk defendant will flee
<input type="checkbox"/>	Serious risk obstruction of justice

2. Reason For Detention. The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

☒ Defendant's appearance as required



X Safety of any other person and the community

3. Rebuttable Presumption. The United States (will, will not) invoke the rebuttable presumption against defendant under §3142(e). (If yes) The presumption applies because (check one or both):

 X Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. §924(c)

 Previous conviction for "eligible" offense committed while on pretrial bond

4. Time For Detention Hearing. The United States requests the court conduct the detention hearing,

 At first appearance

 X After continuance of 3 days (not more than 3).

DATED this 7th day of April , 2006.

COLM F. CONNOLLY
United States Attorney

BY: Richard G. Andrews
Richard G. Andrews
First Assistant U. S. Attorney